



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Group 1654

Isiah M. Warner *et al.*

Examiner Audet, M.

Serial No. 09/876,304

Filed: June 7, 2001

For: "Polymerized Oligopeptide-Surfactant Chiral Micelles" (Atty File 9802.2 Warner)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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AFFIDAVIT OF ISIAH M. WARNER

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

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CERTIFICATE

I hereby certify that this Affidavit of Isiah M. Warner is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 23, 2003.

John H. Runnels  
Registration No. 33,451  
September 23, 2003

Isiah M. Warner, being duly sworn, deposes and says:

1.

I, Isiah M. Warner, am one of the inventors of the above-identified patent application. I make this affidavit in support of that application.

2.

I was one of the five co-authors of E. Billiot *et al.*, "Chiral Separations Using Dipeptide Polymerized Surfactants: Effect of Amino Acid Order," *Anal. Chem.*, vol. 70, pp. 1375-1381 (1998) (the "Paper"). I understand that the Paper has been cited against the above application. I understand that the Paper was published approximately April 1, 1998. I note that at the bottom of the first page of the published Paper appears a note stating that the Paper was published on the Web on February 26, 1998. I note that both of these dates were less than one year before the 35 U.S.C. § 119(e) priority date claimed in this application, namely April 29, 1998.

3.

Eugene J. Billiot, Shahab A. Shamsi, Stefan J. Thibodeaux, and I are the only inventors of the inventions claimed in the application, and of any aspects of the claimed inventions that are described in the cited Paper.

4.

The five co-authors of the paper were the four inventors of the present application, and also Dr. Javier Macossay. The considerations in listing authors on a scholarly paper are different from the strict considerations that I am informed are involved in identifying the

inventor or inventors in a United States patent application. Dr. Macossay, an organic chemist, was named as a co-author of the Paper in recognition of his collaboration with Dr. Shamsi on the synthesis of a surfactant coupled to a dipeptide. Dr. Macossay learned of the claimed inventions from me or my co-inventors, but is not himself an inventor of any of the claimed inventions.

5.

All statements made in this Affidavit of my own knowledge are true. All statements made in this Affidavit on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified patent application or any patent issuing from that application.

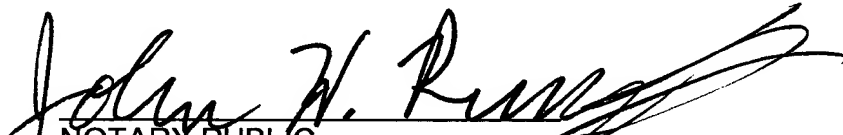


Isiah M. Warner

September 23, 2003

22 JHR

22nd JHR  
SWORN TO AND SUBSCRIBED  
before me this 23rd day  
of September, 2003

  
NOTARY PUBLIC  
John H. Runnels

My commission expires at death.